

REMARKS

In response to the Office Action dated September 26, 2006 (hereinafter, the "Action"), Applicant respectfully requests reconsideration based on the following remarks.

A review of the claims indicates that:

Claims 1-20 were previously pending.

Claims 1, 6, 16, 18, and 19 have been amended.

Claims 1-20 are currently pending, with claims 1, 6, 11, and 16 being independent.

Applicant respectfully submits that the claims as presented are in condition for allowance.

Allowable Subject Matter

Applicant thanks the Examiner for recognizing the allowable subject matter in claims 6-9 and 16-19 if the claims are rewritten in independent form including all of the limitations of the base claim and any intervening claims (Action, page 5). As demonstrated in the Listing of the Claims, claims 6 and 16 have been rewritten in independent form as requested by the Office. Applicant respectfully submits that claims 6 and 16, as rewritten, overcome the Office's objection and place these claims in condition for allowance. Since claims 7-9 and 17-19 depend from claims 6 and 16, respectively, and recite additional features, Applicant respectfully submits that claims 7-9 and 17-19 are also in condition for allowance.

1 **Rejections under 35 U.S.C. §102(b)**

2 The Office rejects claims 1-5, 10-15, and 20 under 35 U.S.C. §102(b) as
3 being anticipated by U.S. Patent No. 4,536,703 to Jablway, et al (hereinafter,
4 “Jablway”). The Applicant respectfully traverses these rejections.

5

6 **Independent Claim 1**

7 Turning to **independent Claim 1**, without conceding the propriety of the
8 stated rejection, and without conceding that Jablway provides the teaching for
9 which it was cited in the Action, the Applicant has amended claim 1 as indicated
10 above. For convenience of discussion, the Applicant reproduces here portions of
11 claim 1 as it would stand after entry of the above revisions:

12

13 “...a plurality of first electrical connection devices electrically
14 attached to a plurality of corresponding leads of the first plurality of leads
15 at the second end, a plurality of first electrical connection devices
16 configured to engage a plurality of electrical conductors of a
17 communication line to provide an electrical connection between the tone
generator and a plurality of electrical conductors of the communication line,
wherein the tone generator simultaneously distributes a tone signal across
the plurality of leads and the plurality of electrical conductors of the
communication line.”

18

19 The Applicant submits that the above revisions to claim 1 are **fully**
20 **supported under 35 U.S.C. § 112, 1st paragraph**, at least by page 9, paragraph
21 0018, and Figures 1 and 3 of the Applicant’s Specification.

22

23 The Jablway reference pertains generally to a method and apparatus for
24 testing cable wire connected to remote terminals (Jablway, Title and Abstract).
25 The integrity and connection of cable wires extending between two banks of

1 terminals are checked for shorts of the wires to ground, to battery wiring between
2 each other and for opens and misconnections or cross-connections of the wires
3 (Jablway, Abstract). Recognition circuits control, analyze, and display the test
4 results to apprise operators stationed at the ends of the cable (Jablway, Abstract).

5
6 The Applicant submits that Jablway does not show or disclose every
7 element of Applicant's claim 1. For example, Jablway does not disclose "...to
8 provide an electrical connection between the tone generator and a plurality of
9 electrical conductors of the communication line, wherein the tone generator
10 simultaneously distributes a tone signal across the plurality of leads and the
11 plurality of electrical conductors of the communication line," as in Applicant's
12 claim 1 after entry of the above revisions. Specifically, Jablway does not show or
13 disclose the simultaneous distribution of a tone signal across a plurality of
14 electrical conductors, as in Applicant's claim 1.

15 Because the Jablway patent does not show or disclose every element of
16 Applicant's claim 1, Applicant respectfully submits that Jablway does not support
17 a §102 rejection of claim 1. The Applicant thus requests reconsideration and
18 withdrawal of the §102 rejection of claim 1.

19
20 **Dependent Claims 2-5 and 10**

21 Claims 2-5 and 10 depend directly or indirectly from claim 1. For at least
22 the reasons set forth above with respect to claim 1, Applicant submits that Jablway
23 does not support a §102 rejection of dependent claims 2-5 and 10 and therefore
24 these claims are also not anticipated by Jablway. Claims 2-5 and 10 depend from
25

1 claim 1, and therefore, the comments directed above to claim 1 apply equally to
2 these dependent claims, as well as for the additional features they recite.

3

4 **Independent Claim 11**

5 Turning next to **independent Claim 11**, for convenience of discussion, the
6 Applicant reproduces here claim 11:

7 A system for testing a communication line including a plurality of
electrical conductors, the system comprising:

8 a tone generator having a signal output terminal and a common
return terminal; and

9 an interconnect structure electrically coupled to the tone generator,
the interconnect structure comprising:

10 a first plurality of leads comprising a electrically conductive
portion having a first end and a second end, wherein the first plurality of
leads are commonly electrically attached at the first end and wherein the
first end is configured to electrically attach to the signal output terminal of
the tone generator; and

11 a plurality of first electrical connection devices electrically
attached to a plurality of corresponding leads of the first plurality of leads
at the second end, a plurality of first electrical connection devices
configured to engage a plurality of electrical conductors of a
communication line to provide an electrical connection between the tone
generator and a plurality of electrical conductors of the communication
line;

12 wherein a single output tone signal emitted by the tone generator is
simultaneously distributed to a plurality of electrical conductors of the
communication line.

13

14

15

16

17

18

19

20 Claim 11 is rejected for similar reasons as described in the rejection of
claim 1 (Action, pages 3 and 4). As described above in the response to the
rejection of claim 1, Jablway does not show or disclose every feature recited in
claim 11. Specifically, Jablway does not disclose "...wherein a single output tone
signal emitted by the tone generator is simultaneously distributed to a plurality of

1 electrical conductors of the communication line," as in Applicant's claim 11. The
2 Office cites Col. 5, lines 37-42 of Jablway for this feature (Action, page 4).

3 However, there is no indication that Jablway shows the simultaneous
4 distribution of a single output tone signal to a plurality of electrical conductors, as
5 in claim 11. Jablway describes tests for detecting shorts between cable wires
6 running to terminals of a connector and the power supply wiring connected to
7 connector terminals (Jablway, Col. 5, lines 21-27). Thereafter, Jablway only
8 shows a pulse train generated and applied to a data selector circuit containing
9 several ports (Col. 5, lines 39-41 and Fig. 3). Jablway discloses that "[t]he ports
10 are sequentially scanned to detect the presence of test set ground through the
11 battery wiring to any of the wires (Jablway, Col. 5, lines 41-43). The sequential
12 scanning of the ports during the testing process does not show or disclose the
13 simultaneous distribution of an output tone signal to a plurality of electrical
14 conductors, as in Applicant's claim 11.

15 Because Jablway does not show or disclose at least this feature, claim 11 is
16 not anticipated by the Jablway reference for at least these reasons, and the §102
17 rejection should be withdrawn.

18

19 **Dependent Claims 12-15 and 20**

20 Claims 12-15 and 20 depend directly or indirectly from claim 11. For at
21 least the reasons set forth above with respect to claim 11, Applicant submits that
22 Jablway does not support a §102 rejection of dependent claims 12-15 and 20 and
23 therefore these claims are also not anticipated by Jablway. Claims 12-15 and 20
24 depend from claim 11, and therefore, the comments directed above to claim 11
25

1 apply equally to these dependent claims, as well as for the additional features they
2 recite.

3

4 **Conclusion**

5 The Applicant submits that the claims in this application are now in
6 condition for allowance. Applicant respectfully requests that an early Notice of
7 Allowability be issued. If there are any outstanding issues that would prevent
8 favorable action on this application, Applicant respectfully requests that the
9 undersigned attorney be contacted for the purpose of scheduling an interview.

10

11

Respectfully Submitted,

12

13

Dated: 1/26/07

14 By: Emily H. Ling

15 Emily H. Ling

Lee & Hayes, PLLC

Reg. No. 58,619

(509) 324-9256 ext. 222

16

17

18

19

20

21

22

23

24

25